

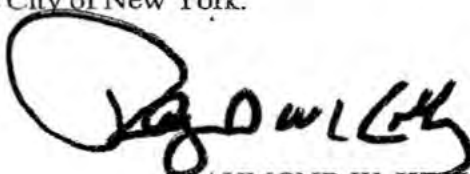


POLICE DEPARTMENT

-----X
In the Matter of the Disciplinary Proceedings :
- against - : FINAL
Detective Yasmeen Holland : ORDER
Tax Registry No. 917131 : OF
Police Service Area 1 : DISMISSAL
-----X

Detective Yasmeen Holland, Tax Registry No. 917131, Social Security No. ending in [REDACTED], having been served with written notice, has been tried on written Charges and Specifications numbered 2011-5157 as set forth on form P.D. 468-121, dated July 7, 2011, and after a review of the entire record, Respondent, having pleaded Guilty, is found Guilty of Specification Nos. 1, 2, 3, 4, 6, 8, 9 and 10. Respondent has been found Not Guilty of Specification No. 5 and found Guilty of Specification No. 11. Specification No. 7 is dismissed.

Now therefore, pursuant to the powers vested in me by Section 14-115 of the Administrative Code of the City of New York, I hereby DISMISS Detective Yasmeen Holland from the Police Service of the City of New York.


RAYMOND W. KELLY
POLICE COMMISSIONER

EFFECTIVE: On February 25, 2013 at 0001 hrs.



POLICE DEPARTMENT

February 12, 2013

-----X
In the Matter of the Charges and Specifications

: Case No. 2011-5157

- against -

Detective Yasmeen Holland

Tax Registry No. 917131

Police Service Area 1
-----X

At:

Police Headquarters
One Police Plaza
New York, New York 10038

Before:

Honorable Robert W. Vinal
Assistant Deputy Commissioner - Trials

A P P E A R A N C E:

For the Department:

Beth Douglas, Esq.
Jamie Moran, Esq.
Department Advocate's Office
One Police Plaza
New York, New York 10038

For the Respondent:

James Moschella, Esq.
Karasyk & Moschella, LLP
233 Broadway Suite 2340
New York, New York 10279

To:

HONORABLE RAYMOND W. KELLY
POLICE COMMISSIONER
ONE POLICE PLAZA
NEW YORK, NEW YORK 10038

The above-named member of the Department appeared before me on October 23, 2012, charged with the following:

1. Said Detective Yasmeen Holland, assigned to the 101 Precinct, while on duty, on or about January 15, 2010, January 22, 2010, March 17, 2010 and June 23, 2010, was absent from said assignment without permission or police necessity.

P.G. 203 05, Page 1, Paragraph 2 – GENERAL REGULATIONS

2. Said Detective Yasmeen Holland, assigned to the 101 Precinct, on or about and between January 18, 2010 and March 26, 2011, conducted inquiries on Department computers not related to official Department business on January 18, 2010, April 15, 2010, April 23, 2010, July 7, 2010, August 7, 2010, August 12, 2010, September 14, 2010, November 2, 2010, January 18, 2011, March 21, 2011 and March 26, 2011. *(As amended)*

P.G. 219-14, Page 1, Paragraph 2 DEPARTMENT PROPERTY

3. Said Detective Yasmeen Holland, assigned to the 101 Precinct, on or about and between April 23, 2010 and June 27, 2011, did knowingly associate with Person A a person reasonably believed to be engaged in, likely to engage in, or to have engaged in criminal activities.

P.G. 203-10, Page 1, Paragraph 2 GENERAL REGULATIONS

4. Said Detective Yasmeen Holland, assigned to the 101 Precinct, while off-duty, on or about January 18, 2010, March 1, 2010 and April 23, 2010, did disclose to Person A, information obtained from the Department computer system without a valid law enforcement purpose.

P.G. 219-14, Page 1, Paragraph 3 DEPARTMENT PROPERTY

P.G. 203-10, Page 1, Paragraph 3 GENERAL REGULATIONS

5. Said Detective Yasmeen Holland, assigned to the 101 Precinct, on February 7, 2010, engaged in conduct prejudicial to the good order, efficiency or discipline of the Department, to wit: said Detective was overheard on a criminal wiretap explaining how to impede a police investigation to Person A, a person believed to have engaged in criminal activities. *(As amended)*

P.G. 203-10, Page 1, Paragraph 5 – GENERAL REGULATIONS

6. Said Detective Yasmeen Holland, assigned to the 101 Precinct, on or about and between June 28, 2010 and June 28, 2011, did engage in conduct prejudicial to the good order, efficiency or discipline of the Department, to wit: said officer facilitated the enrollment of her children into a school district other than her true residential district by

submitting to the Department of Education, a letter reflecting a prior residential address within said school district.

P.G. 203-10, Page 1, Paragraph 5 GENERAL REGULATIONS

7. Said Detective Yasmeen Holland, assigned to the 101 Precinct, on or about January 15, 2010, January 22, 2010, March 17, 2010 and June 23, 2010, did fail to maintain said officer's Activity Log (PD 112-145), as required.

P.G. 212-08, Page 1 and 2 – COMMAND OPERATIONS

8. Said Detective Yasmeen Holland, assigned to the 101 Precinct, on or about and between March 23, 2010 and March 28, 2011 did fail and neglect to properly safeguard her Department issued Activity Log (PD 112-145), the loss of which was reported.

P.G. 212-08, Page 2, Paragraph 6 COMMAND OPERATIONS

P.G. 206-03, Page 2, Paragraph 3

9. Said Detective Yasmeen Holland, assigned to the 101 Precinct, on or about and between April 28, 2011 and July 24, 2011 did fail and neglect to properly safeguard her Department issued Activity Log (PD 112-145), the loss of which was reported.

P.G. 212-08, Page 2, Paragraph 6 – COMMAND OPERATIONS

P.G. 206-03, Page 2, Paragraph 3

10. Said Detective Yasmeen Holland, assigned to the 101 Precinct, on or about July 1, 2010, did engage in conduct prejudicial to the good order, efficiency or discipline of the Department, to wit: said officer filed inaccurate information with the City of New York in her affidavit and application for a domestic partnership.

P.G. 203-10, Page 1, Paragraph 5 – GENERAL REGULATIONS

11. Said Detective Yasmeen Holland, assigned to the 101 Precinct, on or about July 2, 2010, did engage in conduct prejudicial to the good order, efficiency or discipline of the Department, to wit: said officer applied to add an individual known to this Department, to her health benefits as a domestic partner, while knowing her domestic partnership status was obtained by filing inaccurate information with the City of New York.

P.G. 203-10, Page 1, Paragraph 5 GENERAL REGULATIONS

The Department was represented by Beth Douglas, Esq., and Jamie Moran, Esq., Department Advocate's Office. Respondent was represented by James Moschella, Esq.

Respondent, through her counsel, entered a plea of Guilty to Specification Nos. 1, 2, 3, 4, 6, 8, 9 and 10. Respondent, through her counsel, entered a plea of Not Guilty to Specification Nos. 5 and 11. The Department moved to dismiss Specification No. 7. A stenographic transcript of the trial record has been prepared and is available for the Police Commissioner's review.

DECISION

Respondent, having pleaded Guilty, is found Guilty of Specification Nos. 1, 2, 3, 4, 6, 8, 9 and 10. Respondent is found Not Guilty of Specification No. 5. Respondent is found Guilty of Specification No. 11. Specification No. 7 is dismissed.

SUMMARY OF EVIDENCE PRESENTED

The Department's Case

The Department called Sergeant Latania Keith as its sole witness.

Sergeant Latania Keith

Keith, a 22-year member of the Department who is assigned to the Internal Affairs Bureau (IAB), was assigned to investigate an allegation that Respondent had engaged in a criminal association with Person A. Keith obtained Person A's criminal history which revealed that he had been arrested in 2003 for criminal possession of a firearm and in 2009 for assault in the second degree.

Person A was also the subject of an investigation conducted by the Auto Crimes Division. Wiretapped telephone conversations revealed that Person A and Respondent

spoke with each other on the phone almost every day during early 2010. During some of these conversations Respondent provided Person A with information that she had obtained by conducting computer inquiries in the Department's computer systems. Some of the inquiries were conducted by Respondent at Person A's request. Person A also conducted computer inquiries regarding her mother, a man named Person B, and herself. Two Department of Motor Vehicles (DMV) inquiries were conducted by Respondent: one on Respondent's license plate and the other on the Vehicle Identification Number (VIN) of her mother's vehicle.

Respondent was also heard during a wiretapped conversation telling Person A that her children were not attending the school in the neighborhood where she and her children lived. Respondent told Person A that she had been able to enroll her children in a better school located outside her neighborhood by showing school authorities there a document that indicated that she resided in that area even though she did not reside there.

On February 7, 2010, Respondent spoke with Person A about his 2009 arrest for assaulting Person C. At the time of the conversation, Person A's assault charge was still pending. [Department's Exhibit (DX) 1 and 1A are the audio recording and transcript of this February 7, 2010 conversation.] During their conversation, Respondent told Person A that "the best thing" for "her" (meaning Person C) "to say" is "that I made it up" and the assault charge against Person A would be dropped. Keith learned that the assault charge was ultimately dismissed and the court filed was sealed.

During her investigation, Keith also learned that on July 1, 2010, Respondent had filed an "Affidavit and Application for a Domestic Partnership" (Affidavit) with the Office of the City Clerk of the City of New York to establish a domestic partnership with

Person B (DX 2). [Respondent entered on this Affidavit that she and Person B resided at the same [REDACTED] address. Respondent signed this Affidavit and certified that she and Person B had "been living together on a continuous basis prior to the date of this certificate."]

The next day, July 2, 2010, she added Person B to her City of New York health insurance plan as being her domestic partner. Respondent had Person B removed from her health insurance plan on January 23, 2012.

Keith testified that at an official Department interview conducted on June 28, 2011, Respondent conceded that she and Person B never actually lived together and that Person B resided in [REDACTED]. At an official Department interview conducted in August, 2012, she repeated that although she and Person B had discussed living together, they never actually did so. She also stated in that interview that she had dissolved their domestic partnership on January 23, 2012.

Keith learned that Person B was a former uniformed member of the service (UMOS) who was dismissed from the Department in 2009 after he was involved in an off-duty alcohol-related traffic accident.

On cross-examination, Keith confirmed that she obtained about one hundred recordings of conversations between Respondent and Person A and that call records showed that Respondent had called Person A 1,322 times between August 1 and October 21, 2010. Keith did not allow Respondent to review the recorded conversations or the phone records before her official Department interview. Respondent admitted in the interview that she was romantically involved with Person A and that she knew Person A had a criminal record.

Person A was arrested in November 2011 but Person A has not been convicted of any charges pertaining to that arrest and that case is still pending.

Person A's August 2009 assault arrest was based on Person C's allegation that he hit her and threw something at her. Keith agreed that there was no indication that Respondent had attempted to interfere with the processing of the case by contacting Person C, the District Attorney's Office, or anybody else.

The assault charge had been pending for approximately six months when Respondent and Person A were recorded discussing the matter in February 2010. Keith confirmed that at the time of this conversation there was no longer an active police investigation and that the case was dismissed two months after the recorded conversation took place. Keith agreed that there was no indication that the conversation had any impact on the outcome of the case. Although Keith did not know whether or not Person C had fabricated her allegation against Person A, she agreed that it was possible that Person C had invented her claim. Keith confirmed that during the conversation Respondent had discussed a personal experience regarding a domestic violence case and that she did not discuss any case that she was involved with professionally as a UMOS. Keith did not know the reason why Person A's assault case was dismissed.

Keith confirmed that by registering Person B as her domestic partner, Person B became entitled to receive benefits in the event that Respondent was killed in the line of duty. Keith agreed that Person B had corroborated Respondent's claim that at the point in time when Respondent filed the Affidavit, on July 1, 2010, they were engaged in a romantic relationship and that at times he would sleep overnight at her residence.

Respondent's Case

Respondent testified in her own behalf.

Respondent

Respondent, a 16-year member of the Department, testified that she has been the subject of Departmental disciplinary charges on a prior occasion. Those charges were disposed of when she pleaded guilty and agreed to forfeit 15 vacation days. She is currently assigned to Police Service Area 1 and has been on modified assignment since July 2011.

Respondent resided in [REDACTED], from 1995 until 2000 when she moved to [REDACTED] where she resides with her two children, ages 9 and 13. She and the children's father divorced in January 2008. Prior to moving [REDACTED], she lived [REDACTED] in a residence owned by her then-mother-in-law.

With regard to Specification No. 6, Respondent testified that her children had attended preschool [REDACTED] and that in June, 2010, when she needed to enroll her son in the public school system, she wanted him to attend [REDACTED]. Respondent called [REDACTED] and asked how she could register her son for school there. She was told that she needed to provide proof of residence [REDACTED], so Respondent provided DOE officials at [REDACTED] with a credit card statement that had been mailed to her at her former residence, her mother-in-law's home [REDACTED] home where Respondent still sometimes received mail.

Respondent testified that she wanted to send her children to a public school [REDACTED] because the public schools in her [REDACTED] neighborhood were "failing

schools.” Respondent asserted that it was her understanding that children who resided in failing school zones were allowed to attend non-failing schools within the city. Another reason that she wanted her children to attend school [REDACTED] was because her aunt, her mother-in-law and her sister-in-law all lived there and one of them would be able to pick up her children after school if she had to work overtime. She did not have a similar family support network [REDACTED].

Respondent asserted that she was not aware at the time that she was violating any Department of Education (DOE) regulation by enrolling her children at a school [REDACTED], but she now realizes that she should not have done so without ensuring that she was allowed to do this and that it was misleading for her to submit to the school the credit card statement addressed to her at her former mother-in law’s residence. Respondent testified that even after DOE officials learned that Respondent and her children resided [REDACTED], DOE officials allowed the children to continue to attend school in the [REDACTED] school district.

With regard to Specification No. 3, Respondent testified that she met Person A in 2008. They dated for five or six months and remained friends afterwards. Person A told Respondent that he could not become a police officer because “he had a criminal record in his past when he was younger.” Person A told her that he had been incarcerated on “a gun charge, but he didn’t go into specifics or the exact year of when it happened.” Respondent continued to date him because she “thought that he was a good person.” Because Person A was employed as a car salesman, she believed that “he wasn’t involved in any criminal activity while we were dating and that was his past.” Respondent did not know that Person A was still married until Person A was arrested in August 2009 for assaulting Person C.

With regard to Specification No. 5, Respondent testified that when she learned that Person A had been arrested for assaulting Person C, she did not attempt to help him or obtain special treatment for him. Person A told her that after he requested that Person C move out of their residence, an upset Person C falsely alleged that Person A had hit her. Person A's mother and sister told Respondent that Person C had admitted to them that she had fabricated her allegation.

During their February 2010 telephone conversation, Respondent told Person A about a past domestic incident involving her ex-husband. She explained to Person A that in situations where the complainant has fabricated an allegation, the quickest way to get the criminal charge dismissed is for the complainant to admit the fabrication, whereas if the complainant merely fails to cooperate with the prosecution it will take longer to get the criminal charge dismissed.

In explaining this to Person A it was not her intent to impede a police investigation. As far as she knew, the police investigation had ended when Person A was arrested for assaulting Person C. She explained, "I was just telling him what happened to me" and that if Person C told the truth and admitted that she had fabricated her allegation, the charge against him would be dismissed. Respondent never attempted to speak to the arresting officers or to Person C about her allegation nor did she attempt to interfere in the prosecution of the case. Person C's allegation was ultimately dismissed. After her June 2011 official Department interview, Respondent ended her relationship with Person A.

With regard to Specification Nos. 10 and 11, Respondent testified that she met Person B when they were both assigned to the Brooklyn Court Section. They started to date and she developed strong feelings for him. It was her intention to form a family with him

and she introduced him to her children. As their relationship developed, he started to keep personal items at her residence and he would stay overnight sometimes two or three nights a week, sometimes for the entire week, and sometimes one night per week.

She conceded that they did not live together in “the traditional meaning of living together.” They discussed getting married but because Respondent had recently divorced she “didn’t want to rush and get remarried without having some kind of precaution. So I thought that doing a domestic partnership would be a better step as opposed to just running out and getting married again.” Respondent understood that by registering Person B as her domestic partner, he would be covered by her health insurance plan and he would also be the beneficiary on her life insurance policy.

Respondent testified that they intended to become domestic partners in July 2010 and that Person B would move all of his belongings into her residence and stay there on a continuous basis. Respondent denied that the purpose of entering into the domestic partnership was solely to enable Person B to obtain health insurance coverage. Although she and Person B intended to begin living together, she conceded that her certification on the Affidavit that they had been living together on a continuous basis was not accurate. Respondent subsequently learned that Person B was dating another woman and she had the domestic partnership dissolved in January 2012.

On cross-examination, Respondent agreed that Person A’s mother and sister were not present during the domestic incident that occurred between Person A and Person C. Respondent confirmed that it was at her official Department interview that she first learned that it had been improper for her to enroll her children in a school district they did not reside in.

She admitted that she never researched DOE's rules that govern where a child can attend school. The parent of a student who attended the same preschool her children attended had told her that children zoned for failing schools have the right to attend school elsewhere. She confirmed that when she was asked at her June 2011 official Department interview why she did not inform the [REDACTED] school that her children attended that they resided [REDACTED], she had stated, "Because I don't want my son to get kicked out of the school."

With regard to Specification No. 2, Respondent admitted that she conducted computer checks that were unrelated to Department business. She ran checks on herself, her mother, Person A, Person B, and a man named Person D. She ran checks on Person A and Person B three times each. At Person A's request, she also ran checks on people named Person E, Person F, and Person G. Person A asked her to conduct name and license plate checks at least once a month, and Respondent would provide him with the information she obtained. Respondent knew that she was not supposed to use her Department computer code to perform these non-Department related checks.

When Respondent lost two Activity Logs, she reported the loss to the Department. She could not recall the time period that those Activity Logs covered.

Respondent confirmed that she started dating Person A in February 2009 and that they dated off and on into 2010; that they remained friends after their romantic relationship ended; that she cared for Person A and considered him a close friend; that Person A's license to drive was suspended during 2009; that this suspension was not lifted until August 2010; that she drove him to a court appearance for driving without a license; that she accompanied him to a court appearance regarding the assault charges; that she visited him

at his home while she was on-duty; and that these visits lasted between 15 minutes and two hours.

Respondent was not present when Person A was arrested for allegedly assaulting Person C. Person A's mother and sister told Respondent that Person C bruised herself before reporting the incident. Respondent was not aware at the time of her February 2010 telephone conversation with Person A that Person C had a cut on her lip and lacerations on both of her arms.

Person B told Respondent that while he was a UMOS, he injured his head in an off-duty incident and that he suffered from migraine headaches. Respondent started dating Person B after he was terminated from the Department. Their romantic relationship commenced in March 2009, while Respondent was still dating Person A.

When she wrote on the domestic partnership Affidavit that she and Person B resided at the same address, they were not in fact living together yet. She signed her name at the bottom of the document beneath a certification that all the information on the Affidavit was accurate and her signature was notarized. Person B had not lived with her on an ongoing basis. She explained, "He didn't permanently move in with me. He continued to stay with me and go back and forth because he had all those jobs. That was his excuse of why he didn't stay in a continuous, ongoing time at my house."

Upon further questioning, Respondent testified that a warrant check that she performed regarding Person A showed that Person A had an open bench warrant for an unpaid summons. She informed Person A about the warrant and he went to court and paid the fine.

She also performed name checks or driver license checks on Person E, Person F, and Person G. She knew that Person E was a friend of Person A's but she did not know who Person F and Person G were. Person A told Respondent that the two men were buying a car from him. The computer checks did not reveal anything criminal in nature about any of the three men.

On re-cross-examination, Respondent testified that she had no recollection of having told Person A, during a January 18, 2010 telephone conversation, that when she ran a computer check on one of the names he gave her the results showed that the person was a "deported felon." After reviewing the transcript of the audio recording of that call, Respondent explained that although the conversation was about Person F, the "deported felon" result occurred when she typed the wrong name into the system.

FINDINGS AND ANALYSIS

Specification Nos. 1, 2, 3, 4, 6, 8, 9 and 10

Respondent, having pleaded Guilty to these charges, is found Guilty of these Specifications.

Specification No. 5

It is charged that Respondent engaged in conduct prejudicial to the good order, efficiency of discipline of the Department on February 7, 2010, in that she "was overheard on a criminal wiretap explaining how to impede a police investigation to Person A, a person believed to have engaged in criminal activities."

The record establishes that as of February 7, 2010, there was no active “police investigation” for Respondent to impede. As Keith confirmed, Person C’s assault complaint against Person A would have been closed after Person A was arrested on the complaint during 2009. Thus, as of February 7, 2010, Person C’s assault charge against Person A was in the hands of the prosecutor, not the police, and the Department did not dispute Respondent’s claim that she made no attempt to contact or otherwise influence the prosecutor.

As to the allegation that during their telephone conversation Respondent was “explaining” to Person A “how” he could “impede,” the audio recording supports Respondent’s testimony that she was telling Person A about an incident in which her ex-husband “beat me up” and that “they were gonna try to prosecute him” even “without my permission.” As to that part of the conversation in which Respondent is heard telling Person A that “the best thing” for “her” (Person C) “to say” is “that I made it up” and that the assault charge against Person A would then be dismissed, the Department offered no evidence to refute Respondent’s claim that relatives of Person A had told her that Person C had admitted to them that she had fabricated her assault allegation against Person A. When viewed in the context of Respondent’s knowledge that Person C had already privately, but not yet publicly, admitted that she had fabricated her complaint, Respondent’s statement that Person C should tell the prosecutor “that I made it up” does not constitute “explaining how to impede.”

Respondent is found Not Guilty of Specification No. 5.

Specification No. 7

The Department moved to dismiss this Specification. The Assistant Department Advocate (the Advocate) stated that the misconduct charged in this Specification is covered by the misconduct charged under Specification Nos. 8 and 9.

Specification No. 7 is, therefore, dismissed.

Specification No. 11

It is charged that Respondent engaged in conduct prejudicial to the good order, efficiency or discipline of the Department on or about July 2, 2010, by applying to add Person B to her health benefits as a domestic partner when she knew that her domestic partnership status had been obtained by filing inaccurate information with the City of New York.

As a UMOS, Respondent was familiar with legal affidavits and she knew that a UMOS should never sign any affidavit until she is certain that it does not contain inaccurate information. Yet Respondent has admitted that on July 1, 2010, she signed and filed with the City Clerk an "Affidavit and Application for a Domestic Partnership" establishing a domestic partnership with Person B (DX 2); that she entered on this Affidavit that she and Person B resided together [REDACTED] when she knew that Person B still resided in [REDACTED]; and that she knew that she was certifying that she and Person B had "been living together on a continuous basis prior to the date of this certificate" when she knew that this statement was not true.

It is further undisputed that despite her knowledge of the inaccurate statements contained in her Affidavit establishing a domestic partnership with Person B, the very next

day, July 2, 2010, she used this Affidavit establishing a domestic partnership with Person B to add Person B to her City of New York health insurance plan as her domestic partner thereby providing him with health insurance coverage he would not have been otherwise eligible to qualify for.

Respondent is found Guilty of Specification No. 11.

PENALTY

In order to determine an appropriate penalty, Respondent's service record was examined. See *Matter of Pell v. Board of Education*, 34 NY 2d 222 (1974). Respondent was appointed on July 18, 1996. Information from her personnel record considered in making this penalty recommendation is contained in an attached confidential memorandum.

Respondent's misconduct of submitting to DOE a credit card statement that had been mailed to her at her former [REDACTED] address so that her children could attend a school [REDACTED], rather than a "horrible" school in [REDACTED] where she and her children actually resided, constituted an intentional deception. Respondent's misconduct is partially mitigated by the fact that she engaged in this deception for the benefit of her children.

Respondent also engaged in a knowing deception when she wrote on her Affidavit and Application for a Domestic Partnership (DX 2) that Person B resided at the same address in [REDACTED] as she did and when she affirmed that "we have been living together on a continuous basis prior to the date of this certificate," since Person B actually resided in [REDACTED] and since she and Person B had not been living together on a continuous basis.

Despite the fact that Respondent had received training from this Department that she should never sign a sworn affidavit which contained inaccurate information, she swore that all of the information contained in the Affidavit and Application for a Domestic Partnership was "true and correct." Respondent has also been found Guilty of adding Person B to her City-provided health benefits coverage as her domestic partner even though she knew that he did not qualify to be her domestic partner.

Respondent's association with Person A, a person who she knew had engaged in criminal activities, and the nature and extent of this association, constitutes Respondent's most serious misconduct. Respondent admitted that she maintained a social relationship with Person A even though she was aware that he had a criminal record and had served time in prison on a weapons charge. That Respondent maintained a close personal relationship with Person A is reflected by her admission that she accompanied him when he had to make court appearances on an assault charge and a driving without a license charge, by her admission that on three occasions during 2010 while she was on-duty she left her assignment to visit Person A at his residence and that on at least one of those occasions she was absent from her assignment for up to two hours, by her testimony regarding her conversations with his parents and his sister, and by Keith's testimony that Respondent telephoned Person A 1,322 times between August 1 and October 21, 2010.

Most seriously, Respondent admitted that she had performed multiple inquiries on Department computer systems at Person A's request by conducting DMV and warrant checks on Person A's name and on three men she did not personally know whose names Person A had provided to her, and that she had disclosed to Person A the information that she had obtained by conducting these searches.

The Advocate recommended that Respondent be dismissed from the Department. The Advocate cited *Case No. 2006-82072* (April 10, 2008), where a 13-year member who had no prior disciplinary record forfeited 40 vacation days and was placed on one year dismissal probation for associating with an individual who had a criminal record and for conducting computer inquiries at that individual's request. As the Advocate noted, Respondent here does have a prior disciplinary record and she has also been found guilty of other misconduct in addition to criminal association and conducting improper computer inquiries.

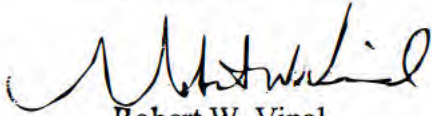
In *Case No. 2006-82386* (Nov. 10, 2008), a seven-year member who had no prior disciplinary record was dismissed from the Department for associating with an individual who had a criminal record in that she dated an individual who was on parole for a felony conviction. She was also found guilty of being out of residence without permission while on sick leave, making unauthorized inquiries on a Department computer, and related misconduct.

It is recommended that Respondent be DISMISSED from the New York City Police Department.

Respectfully submitted,

APPROVED
FEB 25 2012

RAYMOND W. KELLY
POLICE COMMISSIONER


Robert W. Vinal
Assistant Deputy Commissioner - Trials

POLICE DEPARTMENT
CITY OF NEW YORK

From: Assistant Deputy Commissioner - Trials
To: Police Commissioner
Subject: CONFIDENTIAL MEMORANDUM
DETECTIVE YASMEEN HOLLAND
TAX REGISTRY NO. 917131
DISCIPLINARY CASE NO. 2011-5157

The Respondent received an overall rating of 3.5 on her 2011 performance evaluation, 3.5 on her 2010 evaluation, and 3.0 on her 2009 evaluation. She has no medals. [REDACTED]

She has a prior formal disciplinary adjudication. In 2009, she forfeited 15 vacation days after she pleaded guilty to punching a person in the face while she was off duty and failing to notify the Department about this incident.

On March 11, 2008, she was placed on Level 2 Disciplinary Monitoring which ended on December 31, 2009.

For your consideration.



Robert W. Vinal
Assistant Deputy Commissioner – Trials